

**ATTACHMENT 1 TO STAFF REPORT
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

**RESOLUTION NO. R3-2005-0089
APPROVING AN INITIAL STUDY AND ADOPTING A NEGATIVE DECLARATION
FOR
GENERAL CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
FOR THE REUSE OF NON-HAZARDOUS CRUDE OIL IMPACTED SOIL
AND NON-HAZARDOUS SPENT SANDBLASTING AGGREGATE
ON ACTIVE OIL LEASES AND FEE PROPERTIES
IN THE CENTRAL COAST REGION**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Water Board), proposes to adopt Order No. R3-2005-005, General Conditional Waiver Of Waste Discharge Requirements For The Reuse Of Non-Hazardous Crude Oil Impacted Soil And Non-Hazardous Spent Sandblasting Aggregate On Active Oil Leases And Fee Properties In The Central Coast Region; and

WHEREAS, the Water Board is the lead agency for this project under the California Environmental Quality Act and has conducted an Initial Study in accordance with Title 14, California Code of Regulations, Section 15063, entitled *Guidelines for the Implementation of the California Environmental Quality Act*; and

WHEREAS, copies of the Initial Study and proposed Negative Declaration were submitted to the State Clearinghouse on **May 3, 2005**, and Clerks of Ventura, Santa Barbara, San Luis Obispo Monterey, Santa Cruz, San Benito, and Santa Clara Counties, and transmitted to or made available to all agencies or persons known to be interested in these matters and the public notice provided exceeding the legal requirements for such notice; and

WHEREAS, the Water Board accepted comments for **45** days and has considered all comments; and

WHEREAS, based on the initial public comments, the Water Board extended the public comment period until **July 27, 2005**.

WHEREAS, the Water Board considered all testimony and evidence at a public hearing held on **September 9, 2005**, in San Luis Obispo, California, and good cause was found to approve the Initial Study and adopt a Negative Declaration; and

WHEREAS, based on the Initial Study, Negative Declaration, and the entire administrative record, the Water Board finds that adoption of the proposed General Order has no potential to adversely impact the environment; and

WHEREAS, the Water Board finds, based on the draft Negative Declaration, including the Initial Study and hearing record, that adoption of the proposed General Order will not individually or cumulatively have an adverse effect on wildlife, as defined in Fish and Game Code Section 711.2, or the habitat on which wildlife resources depend;

THEREFORE BE IT RESOLVED, that:

1. The Initial Study is approved and the Negative Declaration for the *General Conditional Waiver of Waste Discharge Requirements for the Reuse of Non-Hazardous Crude Oil Impacted Soil and Non-Hazardous Spent Sandblasting Aggregate on Active Oil Leases and Fee Properties in the Central Coast Region* is adopted.
2. The record before the Water Board contains no substantial evidence that a fair argument has been made that the project may have a significant effect on the environment.
3. The Executive Officer, or designee, is authorized to sign and submit a Certificate of Fee Exemption pursuant to California Code of Regulations, Title 14, Section 753.5(c).

I, **Roger W. Briggs**, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on **September 9, 2005**.

Roger W. Briggs, Executive Officer